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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-0267 PJH
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME
v.)	
)	
JUAN ALARCON-BAUTISTA, aka)	
Ernesto Bautista-Perez, and aka Sergio)	
Vasques Lucas,)	
)	
Defendant.)	

On May 10, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from May 10, 2007 to May 23, 2007 for effective preparation of counsel in that the government intends to produce additional discoverable documents to defense counsel shortly. Additionally, the parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best

interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

SCOTT N. SCHOOLS
United States Attorney

DATED: May 10, 2007

/s/
JULIE A. ARBUCKLE
Assistant United States Attorney

DATED: May 10, 2007

/s/
JOSH COHEN
Attorney for Defendant Juan Alarcon-Bautista

As the Court found on May 10, 2007, and for the reasons stated above, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act calculations from May 10, 2007 to May 23, 2007 for effective preparation of defense counsel. See 18 U.S.C. §3161(h)(8). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B).

SO ORDERED.

DATED: May 11, 2007

